

## GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the various resolutions just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

## HONORING 50TH ANNIVERSARY OF CONSUMERS UNION OF UNITED STATES

Mr. WIRTH. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the Senate concurrent resolution (S. Con. Res. 95) to recognize and honor the contributions of Consumers Union, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. RINALDO. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Colorado to explain the resolution.

Mr. WIRTH. Mr. Speaker, if the gentleman will yield, Senate Concurrent Resolution 95 is identical to a resolution introduced in the House by the gentlewoman from California [Mrs. BURTON].

I would ask the gentleman to yield to the gentlewoman from California for the purpose of a further explanation of the resolution.

Mr. RINALDO. Further reserving the right to object, Mr. Speaker, I am pleased to yield to the gentlewoman from California.

Mrs. BURTON of California. Mr. Speaker, I rise in strong support of Senate Concurrent Resolution 95, to recognize and honor the Consumers Union on the 50th anniversary of its founding.

I introduced identical legislation in the House, and so I am very pleased to see that the committee has agreed to act quickly to pass this resolution.

Since 1936, the Consumers Union has been providing American consumers with expert, impartial recommendations concerning the quality, safety, value, and usefulness of consumer products and services. Through the Consumers Union publication, Consumer Reports, we have been warned of goods that posed a threat to either health or pocketbook. Just the same, if some product or service deserved praise, Consumers let us know that, too.

Consumers Union has worked to educate and alert American consumers through various activities including product testing; service evaluation; publishing magazines, newsletters, and books; producing television shows; and legislative as well as legal efforts. With these tools, consumers in America and

around the world have been strengthened in their fight against fraud and hazardous or poorly made products.

In an increasingly sophisticated market, where advertising executives try to lure consumers with seductive, exhilarating ad campaigns, Consumers play a vital role in delivering the unadorned facts. We owe a great deal to the work of the Consumers Union. As a result of the efforts of this valuable organization we have certainly saved money and we have undoubtedly saved lives.

I urge my colleagues to pass the Senate resolution and give recognition to this worthy organization.

Mr. WIRTH. Mr. Speaker, will the gentleman yield further?

Mr. RINALDO. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Colorado.

Mr. WIRTH. Mr. Speaker, Senate Concurrent Resolution 95 is identical to a resolution introduced in the House by the gentlewoman from California [Mrs. BURTON] and is intended to honor Consumers Union for its years of service to all Americans. Consumers Union was formed in 1936 with its goal to "create and maintain decent living standards for ultimate consumers." Since that time CU has been a major force in providing consumers with much-needed information about the products we buy. Its magazine, Consumer Reports, has become an invaluable resource for anyone looking for a good buy and for safe products.

Consumers Union has spoken out on behalf on consumers for many years. The organization has been instrumental in the creation of important advocacy groups such as Consumer Federation for America, the Center for Auto Safety, the American Council of Consumer Interests, and others.

This year Consumers Union is celebrating its 50th anniversary. It is with great pleasure that I join many of my colleagues in wishing Consumers Union well, and thanking the organization for a half century of serving the public interest. Senate Concurrent Resolution 95 simply commemorates this great achievement.

I urge that we adopt this resolution. Mr. RINALDO. Further reserving the right to object, I want to join in the commendations of my colleague and friend, the chairman of the Telecommunications Subcommittee and my colleague and friend, the gentlewoman from California, and offer my congratulations to the Consumers Union on its 50th anniversary.

This organization has been working tirelessly for the last half century to get information to the consumer so that he or she can make the best-informed purchase possible. They play an important role in our marketplace and they show exactly what private individuals can do when working together to help protect consumers from shoddy products and false claims. I wish them continued success in their endeavors.

Mr. WAXMAN. Mr. Speaker, I am pleased to rise in support of a resolution honoring one of this Nation's most effective consumer advocacy organizations. For 50 years the Consumers Union has served the public as an independent and unimpeachable source of information about the value, effectiveness, and safety of consumer products. It has established an enviable reputation for integrity and conscientiousness. It has earned the respect of the consuming public as well as industry.

The founders of Consumers Union, its past and current staff, and the millions of its members are to be congratulated on the eve of this golden anniversary. Passage of Senate Concurrent Resolution 95 is a much deserved tribute.

I want to commend the gentle lady from California, Mrs. BURTON, and my good friend from Colorado, Mr. WIRTH, for bringing this resolution before us.

I urge support for the resolution.

Mr. RINALDO. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

## S. CON. RES. 95

Whereas for the past fifty years Consumers Union has provided consumers with necessary facts to participate in an increasingly complex marketplace, through the publication Consumer Reports;

Whereas Consumers Union has become a widely respected source of impartial information about consumer products and services, and legislation and regulations affecting consumers;

Whereas Consumers Union has crusaded for fifty years for improvements in product safety, and has played an important role in reducing hazards to consumers;

Whereas Consumers Union has pursued reforms to make the marketplace more fair for consumers, and has been a leader in helping advance the consumer interest in the United States and around the world; and

Whereas Consumers Union is celebrating its fiftieth anniversary in 1986, with plans that include providing increased services: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes and honors the Consumers Union for the continuing contributions made in informing, protecting, and aiding consumers in the Nation.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

## PROVIDING FOR REDUCTION IN TERM OF OFFICE OF MEMBERS OF FEDERAL COMMUNICATIONS COMMISSION

Mr. WIRTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2179) to amend the Communications Act of 1934 to provide for reduction in the term of office of members of the Federal Communications Commission, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. RINALDO. Mr. Speaker, reserving the right to object, and I do not object, I yield to the gentleman from Colorado for a brief explanation of what the bill does and its relationship to the appointment of an FCC Commissioner presently pending in the other body.

Mr. WIRTH. Mr. Speaker, if the gentleman will yield on his reservation, this legislation which was introduced in the other body is simply a noncontroversial amendment to the Communications Act of 1934. In short, it reduces the terms of the members of the Federal Communications Commission from 7 to 5 years in order to bring their terms of office into sync with the size of the FCC, which was reduced 3 years ago from seven to five members.

As I stated this legislation originated in the Senate, and I cannot speak for that body which, of course, has the responsibility for confirming Presidential nominees to the FCC. However, from our point of view, this is simply a technical change to bring the terms of office of the FCC parallel with the number of Commissioners that agency now has and is consistent with the policy which we have discussed in the Commerce Committee.

My colleagues will recall that in 1982 we reduced the size of the Commission from seven to five members. However, at that time we did not adjust the staggered terms of office to reflect that reduction. What that means is that there are now 2 years out of every 7 in which no FCC term expires.

This is important for a couple of reasons. First, whomever is elected President in 1988 would not, under current law, have the opportunity to appoint an FCC Commissioner until 1991.

Second, is the fact that the opportunity for the legislative branch to monitor the general policies of the Commission would be greatly diminished by the 2-year gaps in Commission terms.

This legislation would remedy this by reducing the length of terms to 5 years. It also alters the length of two Commission terms—the one formerly held by Henry Rivera that ends in 1987, and the successor to the one currently held by Chairman Fowler that expires in 1986—in order to create a rotation that will ensure that a term expires in 1989 and 1990—2 years in which there are currently no terms set to expire.

This is a commonsense amendment to the Communications Act that has received bipartisan support in both Houses as well as in the communications industry itself. I urge my colleagues to support this measure that will help to maintain the orderly and efficient operation of the FCC and the communications industry.

Mr. RINALDO. Mr. Speaker, further reserving the right to object, the mi-

nority has no objection to the legislation, but would the gentleman confirm my understanding that the administration also supports this legislation?

Mr. WIRTH. Mr. Speaker, if the gentleman will yield, my understanding is that is the case.

Mr. RINALDO. Mr. Speaker, I thank the gentleman from Colorado.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

#### S. 2179

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 4(c) of the Communications Act of 1934 (47 U.S.C. 154(c)), is amended by striking "seven" and inserting in lieu thereof "five".

(b) The amendment made by subsection (a) of this section shall take effect on the date of enactment of this Act, except that—

(1) upon the expiration of the term of office prescribed by law to occur on June 30, 1986, any person appointed as a member of the Federal Communications Commission to fill such office for the term following such date shall be eligible to serve until June 30, 1990, and any person appointed as a member of the Federal Communications Commission to the term of office prescribed by law to expire on June 30, 1987, shall be eligible to serve until June 30, 1989; and

(2) notwithstanding the provision of subsection (a) of this section, persons appointed as members of the Federal Communications Commission to terms of office prescribed by law to expire on June 30, 1988, June 30, 1991, and June 30, 1992, shall be eligible to serve until the expiration of the term of office on June 30, 1988, June 30, 1991, and June 30, 1992, whichever is applicable.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. WIRTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate concurrent resolution and Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### WE MUST AMEND CIVIL "RICO"

(Mr. SMITH of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Florida. Mr. Speaker, in recent years a dramatic number of lawsuits have been filed against legitimate businesses under the civil remedies provisions of RICO.

RICO was designed to combat organized crime, but Congress also provided civil remedies for victims of racketeering activities. Despite clear congres-

sional intent to link civil remedies to violations of the underlying criminal statute, the law has, in the words of the Supreme Court, evolved "into something never contemplated by Congress." Indeed, since RICO is being used against legitimate businesses in ordinary commercial disputes, many defendants settle claims in order to avoid the stigma of being labeled a "racketeer."

Congress must remedy this inappropriate application of RICO. As one who worked extensively in the drafting and passage of Florida's "Little RICO" statute, I believe the solution is embodied in H.R. 2943, introduced by Representative RICK BOUCHER. That bill retains RICO's civil remedies but provides that a defendant could not be sued for civil damages unless first convicted of a RICO violation or one of the predicate acts. This is a fair and reasonable proposal. I support it, and so do more than half of the Judiciary Committee members.

I hope that the committee soon will have the opportunity to report this bill to the House. Then we will be able to use RICO's civil remedies as Congress originally intended.

#### MEMBERS' CLERK HIRE ALLOWANCE

(Mr. FAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FAZIO. Mr. Speaker, on behalf of the chairman of the Committee on House Administration, FRANK ANNUNZIO, the ranking minority member of the Subcommittee on Legislative Branch Appropriations, JERRY LEWIS, and myself as the chairman of the subcommittee, I want to inform the House that each Member will shortly receive notice from the Clerk of the House that the appropriations level for the clerk hire allowance is being revised to \$273,748. This will set the level of funding in this account at 92.5 percent of authorization or 3.2 percent below the Gramm-Rudman target of 95.7 percent. We are able to take this action because of the fiscal responsibility that has been demonstrated by the Members of this body. This reprogramming has been approved by the Legislative Branch Subcommittee on Appropriations because it represents the exercise of sound management that is missing in the across-the-board sequestration action that was taken under the first round of Gramm-Rudman. This is possible as a direct result of the fact that Members have chosen to conserve on nonpersonnel items such as equipment in favor of retaining the more valuable asset, trained staff.

Mr. Speaker, I am including the text of the Clerk's notice at this point:

May 22, 1986

CONGRESSIONAL RECORD — HOUSE

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

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MEMBERS' ALLO

(Mr. FAZIO asks permission to add minute and to read remarks and to matter.)

Mr. FAZIO. Mr. of the chairman of House Administration zio, the ranking member of the Subcommittee on Branch Appropriations and myself as the subcommittee, I House that each receive notice from House that the for the clerk hired revised to \$273,74 level of funding in percent of authority below the Gramm 95.7 percent. We action because of ability that has been the Members of the programming has been Legislative Branch Appropriations be that is missing in sequestration act under the first Rudman. This is result of the fact chosen to conserve items such as equipping the mo trained staff.

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